

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
May 1, 2002**

The Board of Supervisors of Maricopa County, Arizona convened at 9:00 a.m., May 1, 2002, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman; Fulton Brock, Vice Chairman (left the meeting early); Andy Kunasek, Max W. Wilson, Mary Rose Wilcox (entered late); Fran McCarroll, Clerk of the Board; and Shirley Million, Administrative Coordinator. Also present: David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

INVOCATION

Fran McCarroll, Clerk of the Board, delivered the invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG

Jessie Gallagher, Clerk of the Board's Office, led the assemblage in the Pledge of Allegiance.

PRESENTATIONS – PET OF THE MONTH

Ed Bokes, Director of Animal Care and Control, brought a Rottweiler/German Shepherd mix puppy named Buddy from the Maricopa County Animal Care & Control kennels to introduce as the "Pet of the Month." The first Board of Supervisors' meeting of each month features an adoptable pet for the viewing audience to see and realize the quality of animal that is available to them as a pet for a very small cost. Those interested in Buddy or in adopting another dog or a cat may call for more information at 602-506-PETS. May 4 and 5 have been designated as a two-day pet adoption weekend for the public to find a neutered pet who has all its shots at half the usual low fee. No adoptable animal will be euthanized during this weekend celebration.

~ Supervisor Wilcox entered the meeting ~

PRESENTATION TO THE T.J. PAPPAS SCHOOL

Ron Reddic, Social Events Committee, presented a check to the T.J. Pappas Schools for \$3,200 from the 4th Annual Health Select Employee Golf Tournament proceeds. Ben Arredondo, Deputy Superintendent of Schools, gave Mr. Reddic a T-shirt in appreciation of the work he does to benefit students. He also thanked the Board for their commitment to the 3,000 homeless street children who live in Maricopa County. He emphasized that this is not a district issue but a County issue and he commended the Supervisors for recognizing this. He said he was very proud to announce that the Lone Cactus school would have 100 students graduating from high school this spring and 10 additional children would graduate from Guadalupe High School. He indicated that there is no way to know the difference that having their high school diplomas will make to these youths and to their families. Many of these teenagers would not be getting their diplomas without the help they received from the County's school program. (ADM650)

LAW DAY PRESENTATION

Presiding Judge Lester Pearce, Maricopa County Justice Courts, announced that today is the 45th anniversary of Law Day which observes and celebrates the legal heritage of this nation. He said the Justice Court System in Maricopa County is well-used, as it serves or has served one out of every six residents of the County. He said the Justices are appreciative of the support they have received from the Board in funding necessities when there is such a tight budget and lauded the new commitments that have been made by the Supervisors with regards to the public good in their use of these court facilities.

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He said that 15 of the 23 courts are holding an open house and invited the Supervisors to attend one of the festivities. He presented Chairman Stapley with a new gavel inscribed "Law Day, 2002" from all the Justices. (ADM650)

POINT OF PERSONAL PRIVILEGE

Supervisor Brock asked Myra Jefferson to come forward to receive a trophy in recognition of her service on the Industrial Development Authority Board, through what he identified as "both good times and stormy times" from 1997 to 2001. Ms. Jefferson responded by expressing her thanks to the Board for her appointment and her appreciation for the honor she felt in having been given the opportunity to participate as a citizen on the Board. She indicated that it had been an experience that provided both growth and learning, and had also been a pleasure for her to do.

Chairman Stapley added his congratulations and sincere thanks to Ms. Jefferson, saying he had known her for many years and knew she was a caring citizen who gave many hours of her time in service to the County.

CODE ENFORCEMENT REVIEW

Chairman Stapley stated that this is the time scheduled for oral argument in the review of the Hearing Officer's Order of Judgement in the zoning code violation case of Raven Rock Construction, LLC, Case No. V2001-00479. He acknowledged Mr. Frank Ross, Esq., representing Raven Rock Construction Company. (ADM3417-10)

Mr. Ross presented his argument, saying that his client's six-plus acres of land had been used for at least the last 20 years for agricultural purposes. It has a house and barn on it but he indicated that the remaining portion has been used to grow field crops. The property owner has been cited for violation of the zoning ordinance. The owner's position is that his land is exempt under the zoning ordinance which applies to five or more contiguous commercial acres which is the equivalent to four-plus regular acres.

This section of the Ordinance was amended in 1994 to redefine the exemption to the Assessor's Office classification of agricultural property as being 20 or more acres. Mr. Ross maintained this rendered every small farm under 20 acres in the County illegal and in violation of the ordinance, and which also, in his opinion, violates the enabling statute that permits counties to adopt ordinances. The Hearing Officer ruled against Raven Rock Construction because they do not have an agricultural classification. Mr. Ross said their reply to that must be, "we don't have one because you can't get one if you own less than 20 acres." He continued, "We're entitled to one (an agricultural classification) as long as there are more than five contiguous commercial acres, and there are." He asked the Board to overturn the decision of the Hearing Officer.

The Chairman asked Joy Rich, Director of Planning and Development, to report on the Planning Department's response. She said the property owner was cited for having trucks and earth-moving equipment in a residential zoning district. She read the requirements for an agricultural exemption and said that the property owner had not applied for, or received, a Certificate of Exemption from Planning and Zoning. She indicated that there are specifications that entitle a property for such an exemption and that a parcel containing less than five acres is not considered to be economically viable as a commercial agricultural operation unless it happens to be a nursery, which could be viable on a small parcel. She said the front portion of the subject property could never be classified as agricultural because it contains the owner's primary house and has equipment usually connected to a certain type of commercial

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business stored on it. She stated, "They have never had an agricultural exemption, they do not qualify for the exemption, and they need to comply with the zoning regulations."

Supervisor Wilcox asked why they had never applied for this exemption.

Mr. Ross said that prior to 1994 it had not been necessary to apply for an agricultural exemption and they did not know about it. After the amendment was passed they felt it would be meaningless because of the size of the acreage. He also maintained that the question of whether or not five acres was economically viable as a stand-alone farm was not an issue that was addressed in either the ordinance or the statute.

Ms. Rich said that Mr. Ross was in error because landowners were always required to get a Certificate of Exemption under the zoning ordinance. She indicated that had they received an exemption at some previous time, and if that exemption had been kept in force and they were currently performing under it, "We would not be here today."

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to uphold the Hearing Officer's Order of Judgement in this zoning violation.

LIQUOR LICENSE APPLICATION

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox and seconded by Supervisor Kunasek, to recommend approval of the following liquor license application:

Application filed by William Andrew Christ for an Original, Series 12 Liquor License: (F23029)

Business Name:	Pioneer Restaurant and Saloon
Location:	3901 West Pioneer Road, Phoenix

Motion carried by majority vote (4-1) with Supervisors Stapley, Kunasek, Wilson and Wilcox voting "aye" and Supervisor Brock voting "no."

~ Supervisor Wilcox left the meeting ~

PUBLIC HEARING – STREET NAME CHANGE

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to change the street name from Indian School Road Bypass to Indian School Road in Township 2 North, Range 1 West, Section 27 and Section 28 between Dysart Road and Litchfield Road, Maricopa County, Arizona. The request was made by the City of Litchfield Park City Council to correct the roadway alignment and the Cities of Avondale and Goodyear were in concurrence with the request. (C44020080) (ADM2018)

PUEBLO MESA IMPROVEMENT DISTRICT ESTABLISHED

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the order establishing Pueblo Mesa M.H.P. Phase 2 Street Lighting Improvement District and appointing the Superintendent of Streets as District Engineer. Petitions representing 100% of the property owners of the

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subdivision have been presented, making this a 100% district that will establish street lighting facilities and purchase electric services for the lighting of public streets and parks within the area.

**ORDER ESTABLISHING
PUEBLO MESA M.H.P. PHASE 2 STREET LIGHTING IMPROVEMENT DISTRICT**

A petition having been filed with the Clerk of the Board of Supervisors of Maricopa County, Arizona, praying for the establishment of Pueblo Mesa M.H.P. Phase 2 Street Lighting Improvement District, under the provisions of Title 48, Chapter 6, Article 1, Arizona Revised Statutes, 1956, and said petition having been presented to the Board of Supervisors on the 1st day of May, 2002 at the hour of 9:00 a.m., at the usual meeting place of said Board of Supervisors at 205 West Jefferson Street, in the City of Phoenix, as required by said Arizona Revised Statutes, 1956, and said Board having heard all interested property owners who appeared at said hearing on any matter relating to the establishment of the proposed District, or filed with the Clerk of the Board of Supervisors, before the date for said hearing, and after having heard all of said property owners, said Board of Supervisors finds that said petition is signed by the requisite number of owners of real property and further finds that the public convenience, necessity and welfare will be promoted by the establishment of said district, and hereby, by this formal order declares the findings aforesaid, and establishes the boundaries as follows:

East 300 Feet of the Northeast Quarter of the Southwest Quarter of the Northeast Quarter of Section 28, Township 1 North, Range 7 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, except, North 300 Feet & East 300 Feet

And further declares that said district is now established under the name of Pueblo Mesa M.H.P. Phase 2 Street Light Improvement District, by which name it shall be known in all proceedings hereafter.

DATED this 1st day of May, 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll

PURCHASE OF EQUIPMENT

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the purchase of the following equipment, as prescribed in Budget Adjustment Memo No. 8:

- a) 7 desktop PCs, 3 printers with warranty, 3 Digital Audio Recording systems, and 3 print servers plus tax for an approximate cost of \$30,960. This supports the business operations of Courtroom Clerks. (C16020158) (ADM1000-002)
- b) 14 desktop PCs, 9 printers with warranty, 9 Digital Audio Recording Systems, and 9 print servers plus tax for an approximate cost of \$83,492. This supports the business operations of the Courtroom Clerks supporting Family Court Divisions. (C16020168) (ADM1000-002)
- c) 1 desktop PC, 1 printer with warranty plus tax for an approximate one-time cost of \$2,352. This equipment will expedite paperwork processing to allow the timely transfer of inmates from MCSO to Department of Corrections. (C16020178) (ADM1000-002)

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- d) 8 Gemtrac Storage Units in order to provide sufficient storage capability for approximately 8000 video tapes per year and future storage requirements of DVDs/CDs for an approximate cost of \$57,405. (C16020180) (ADM1000-002)
- e) 2 printers with warranty plus tax for an approximate cost of \$2,180. This equipment is to support the Family Support Division. (C16020198) (ADM1000-002)
- f) 7 desktop PCs, 4 printers with warranty and 4 print servers plus tax for a one-time purchase of an approximate cost of \$12,826. This equipment will support the new filing initiative. (C16020208) (ADM1000-002)
- g) 1 PowerEdge Server to support debit/credit form of payment project at a one-time approximate cost of \$5,420 including tax. (C16020218) (ADM1000-002)
- h) 4 printers with warranty to support the Customer Service Center file room for a one-time approximate cost of \$4,350 including tax. (C16020228) (ADM1000-002)
- i) 2 printers with warranty and a print server for an approximate cost of \$2,750 including tax. This equipment is supporting Criminal Financial Obligations. (C16020238) (ADM1000-002)
- j) 1 laptop computer to support the Automation Project for an approximate total cost of \$2,485 including tax. (C16020248) (ADM1000-002)

PURCHASES OF EQUIPMENT

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve the purchase of the following equipment, in accordance with Budget Administrative Memo No. 8. ~~These items will be purchased using a capital equipment lease.~~ Note: Clerk of the Board, Fran McCarroll, announced the correction to delete this sentence, saying the equipment will be purchased in their entirety this year and not under the lease program. (ADM1200-002)

- a) 3 high-speed color laser printers to replace obsolete slower, aging equipment. These printers are needed to present evidence in trial and to print crime scene photographs submitted by law enforcement agencies. The cost for this equipment is \$16,821 and will be paid for out of the County Attorney's Fill the Gap special revenue fund fund balance appropriation. This will be a "cash" purchase and a one time exception of the technology equipment financing program, due to the uncertain economic condition of the State. (C19020485) (ADM400-002)
- b) 2 laptop computers to replace obsolete aging equipment. These laptop computers are critical for the successful development of computer applications that facilitate the integration of criminal justice information. The cost for this equipment is \$6,200 and will be paid for out of the County Attorney's Fill the Gap special revenue fund fund balance appropriation. This will be a "cash" purchase and a one time exception of the technology equipment financing program, due to the uncertain economic condition of the State. (C19020495) (ADM400-002)

GRANT FUNDING FROM ARIZONA PROSECUTING ATTORNEY'S ADVISORY COUNCIL

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Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve receipt of grant funds from the Arizona Prosecuting Attorney's Advisory Council (APAAC) for FY 2001-2002 in the amount of \$15,000. These funds are to be used for the purchase of equipment and software to establish and host a web site containing a library of legal briefs, motions, and documents. The equipment items will be a "cash" purchase and an exemption from the technology financing program. (C19020513)

PURCHASE OF PRINTERS AND SCANNERS

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to authorize the purchase of 2 Thermal Receipt Printers for \$2,313 and 2 HP 8150N printers for \$5,249 and 10 Panasonic highspeed scanners with im printers for \$78,167 in accordance with the Board's Budget Balancing Policy Guidelines and Plan. The purchase of this equipment is funded by the Recorder's Surcharge Fund and will not affect the County General Fund. (C3602005M) (ADM3500-002)

~ Supervisor Wilcox returned to the meeting ~

AMENDMENT TO LEASE

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the amendment of Lease No. L7226 for continued use of 12,520 square feet of office space at a site in Phoenix to house the Sheriff's Office Special Investigations Unit. The term of this lease is extended for an additional five years from July 1, 2002, through June 30, 2007, at a first year rental cost of \$165,658.55 (\$12.92 per square foot, plus 2.4% rental tax) and a 3% annual increase thereafter. As a condition of the lease renewal the lessor will: (C5000041402)

- a) Paint the interior of the building
- b) Replace all the carpeting in the building
- c) Install two drinking fountains
- d) Install a new hot water heater.

PURCHASE OF EQUIPMENT

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve an exception to budget memorandum No. 8 for the purchase of a Range 2000 firearm training simulator at a cost not-to-exceed \$64,500 including tax and shipping. The purchase of this item will allow the Sheriff's Office to replace an aging Fire Arms Training System (FATS) that is currently on loan from AzPOST and in the near future will no longer be utilized. If approved, the Range 2000 will be used in officer training to complete AzPOST mandatory firearm certification and re-certification. Unlike the current system, the replacement training system is portable so that it can be transported from location to location for ease and convenience of certification. The air quality, sound, and temperature restrictions are not factors with the new model and it can easily be updated to accommodate changes in law and policy and training guidelines. The new technology can also be modified to use for specialized training, whereas the current system is inflexible. This system is in place at several agencies throughout the state. (C5002072M) (ADM3900-002)

INTERGOVERNMENTAL AGREEMENTS FOR PUBLIC SAFETY SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the following Intergovernmental Agreements providing for public safety services to various towns. The terms of the agreements are effective July 1, 2002, through June 30, 2004. The revenue

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from these intergovernmental agreements supports expenditures by the Sheriff's Office to provide these services and will be reflected in the FY 2002-2003 Sheriff's Office budget. Unless notice of intent to terminate has been given by June 30, 2004, the agreements automatically renew, with all terms remaining in full force and effect, until renegotiated or terminated in writing.

- a) Town of Gila Bend will reimburse the Sheriff's Office for public safety services provided in the amount of \$229,491 for FY 2002-2003. This agreement will allow the Sheriff's Office to provide .55 patrol beats to the Town on a 24-hour basis, 7 days per week, 52 weeks per year. (C50020782)
- b) Town of Cave Creek will reimburse the Sheriff's Office for public safety services provided in the amount of \$323,352 for FY 2002-2003. This agreement will allow the Sheriff's Office to provide .41 patrol beats to the Town on a 24-hour basis, 7 days per week, 52 weeks per year. (C50020792)
- c) Town of Carefree will reimburse the Sheriff's Office for public safety services provided in the amount of \$296,609 for FY 2002-2003. This agreement will allow the Sheriff's Office to provide .30 patrol beats to the Town on a 24-hour basis, 7 days per week, 52 weeks per year. (C50020802)
- d) Town of Guadalupe will reimburse the Sheriff's Office for public safety services provided in the amount of \$772,914 for FY 2002-2003. This agreement will allow the Sheriff's Office to provide 1.66 patrol beats to the Town on a 24-hour basis, 7 days per week, 52 weeks per year. (C50020812)
- e) Town of Fountain Hills will reimburse the Sheriff's Office for public safety services provided in the amount of \$1,509,657 for FY 2002-2003. This includes a one-time amount of \$36,000 for the purchase of a patrol vehicle, originally intended to be purchased in FY 2001-2002, to be used by a Sheriff's Deputy assigned to Fountain Hills. The revenue from this agreement supports expenditures by the Sheriff's Office to provide these services and will be reflected in the FY 2002-2003 Sheriff's Office budget. This agreement will allow the Sheriff's Office to provide 3.00 patrol beats to the Town on a 24 hour basis, 7 days per week, 52 weeks per year. (C50020952)

UTILIZE UP TO TWENTY NEW VEHICLES

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve authorization for Equipment Services to utilize up to twenty new vehicles for the Sheriff's Office to use for a period of twenty-nine days, beginning April 15, 2002, and ending May 13, 2002, for the 9th annual "Dead Beat Parent Roundup." Fuel costs for this operation are estimated to be \$5,000 and will come from Sheriff's Office budget funds. (C5002091M) (ADM3100)

INTERGOVERNMENTAL AGREEMENTS - ARIZONA METHAMPHETAMINE PROGRAM

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the following intergovernmental agreements for coordination of the Arizona Methamphetamine Program funded by the Bureau of Justice Program. The term of the agreements are from March 15, 2001, through June 30, 2002. On July 26, 2002, the Board approved acceptance of \$1,000,000 in grant funding and the Sheriff's Office was designated as the pass through agency for the reimbursement of overtime, relative to the clandestine methamphetamine lab class. The total amount available for external agencies is \$198,000.

- a) City of Mesa will be eligible to receive reimbursement grant pass through funds in an amount not-to-exceed \$50,000. (C50020922)

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- b) City of Surprise will be eligible to receive reimbursement grant pass through funds in an amount not-to-exceed \$50,000. (C50020932)

MEMORANDUM OF UNDERSTANDING WITH PARADISE VALLEY UNIFIED SCHOOL DISTRICT

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the Memorandum of Understanding and acceptance of up to \$101,106 in funding from the Paradise Valley Unified School District No. 69 for reimbursement of salary and employee-related expenses for two deputies serving as School Resource Officers at the Greenway Middle School and Vista Verde Middle School. Duties will include law-related education, counseling students and parents (after occurrences of delinquent behavior), and consultation on school safety issues. The term of the Greenway MOU (C5002094B) is from September 1, 2001, through June 30, 2002. The term of the Vista Verde MOU (C5002094A) is from October 23, 2001, through June 30, 2002. (C50020941)

TWO RESOLUTIONS - GRANT FUNDING FROM GOVERNOR'S OFFICE OF HIGHWAY SAFETY

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to adopt the following two resolutions, approving application and acceptance of grant funding from the Governors Office of Highway Safety: Up to \$60,000 to target youth alcohol violations in Maricopa County. An estimated amount for this grant was included in the FY 2002-2003 Sheriff's Office FY 2002-2003 budget request. This grant will provide funding for deputies to work in an overtime capacity on assignments involving youths alcohol violations in remote county locations. Up to \$92,000 to purchase DUI law enforcement equipment and fund overtime for DUI and other traffic related issues. Also approve the following actions to be effective upon official notification of award receipt: an addition to fleet of one fully equipped aggressive driver car (\$45,000); exemptions to budget memo No. 8 for the vehicle and grant-designated equipment items: two Intoxilyzer 5000's (\$6,500 each) and two handheld radar units (\$1,000 each). (C50020883) (ADM3100) (C50020873)

RESOLUTION

**APPROVING THE SUBMISSION OF PROJECTS FOR CONSIDERATION FROM
THE DEPARTMENT OF JUSTICE, OFFICE OF JUVENILE JUSTICE AND
DELIQUENCY PREVENTION
Youth Alcohol Violations**

WHEREAS, the Governor's Office of Highway Safety is seeking proposals from state and local jurisdictions for projects relating to juvenile justice, and

WHEREAS, the Maricopa County Board of Supervisors, through the Maricopa County Sheriff's Office, is interested in submitting a project to be considered for funding from the Governor's Office of Highway Safety, administrators of funding from the Department of Justice, Office of Juvenile Justice Delinquency Prevention (OJJDP).

NOW, THEREFORE, BE IT RESOLVED, that the Maricopa County Board of Supervisors hereby:

Section 1: Approves the filing and acceptance of a grant funding for the project of Youth Alcohol Violations in the amount of \$60,000, and

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Section 1: The Sheriff, or his designee, is authorized to submit all financial and other reporting documents required in connection with such grant.

DATED this 1st day of May 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

RESOLUTION

**APPROVING THE SUBMISSION OF PROJECTS FOR CONSIDERATION
IN ARIZONA'S 2003 HIGHWAY SAFETY PLAN
Traffic Safety Enforcement**

WHEREAS, the Governor's Office of Community and Highway Safety is seeking proposals from state and local jurisdictions for projects relating to all aspects of highway safety, and (C50020883) (ADM3100)

WHEREAS, the Maricopa County Board of Supervisors, through the Maricopa County Sheriff's Office is interested in submitting a project to be considered for funding in the form of reimbursable grants from the National Highway Traffic Safety Administration and the Federal Highway Administration,

NOW, THEREFORE, BE IT RESOLVED that the Maricopa County Board of Supervisors hereby:

Section 1: Approves the filing and acceptance of grant funding related to the Traffic Safety Enforcement in the amount of \$92,000.

Section 2: The Sheriff, or his designee, is authorized to submit all financial and other reporting documents required in connection with such grants.

DATED this 1st day of May 2002.

/s/ Don Stapley, Chairman of the Board

ATTEST:

/s/ Fran McCarroll, Clerk of the Board

GRANT FUNDING FROM ARIZONA CRIMINAL JUSTICE COMMISSION

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the following applications and acceptances of grant funding from the Arizona Criminal Justice Commission:

- a) Up to \$12,950 in grant funding for Criminal Justice Records Improvement Program. This funding will be used to purchase a 100-megabyte communications switch for the Sheriff's Office mainframe computer, along with a FDDI Cord, Installation and Configuration. There is a 25% cash match requirement of \$3,237.50 that will be funded from the Inmate Services Fund. An estimated amount for this grant was included in the FY 2002-2003 Sheriff's Office budget request. (C50030013)
- b) Up to \$376,047 in grant funding for continuation of the "Multi-Agency Drug Enforcement Detention Strategy." The term of this funding is July 1, 2002, through

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July 30, 2003. An estimated amount for this grant was included in the FY 2002-2003 Sheriff's Office budget request. (C50030023)

- c) Up to \$507,873 in grant funding for continuation of the "Residential Substance Abuse Treatment Program." There is a 25% cash match requirement, \$126,968, which will be from the MCSO Inmate Services Fund. The office currently has contracted vendors for these services and wishes to continue using these vendors. The term of this funding is July 1, 2002, through July 30, 2003. An estimated amount for this grant was included in the FY 2002-2003 Sheriff's Office budget request. (C50030043)

GRANT FUNDING FROM ARIZONA ATTORNEY GENERAL'S OFFICE, VICTIMS RIGHTS PROGRAM

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the acceptance of \$128,400 in grant funds from the Arizona Attorney General's Office, Victims Rights Program. This funding provides for 3.5 administrative assistant positions, 1 administrative coordinator III position and operating expenses. The Sheriff's Office is mandated by A.R.S. Title 13, Chapter 40 and A.R.S. Title 8, Chapter 3 to provide victim notification. The term of this funding is July 1, 2002, through June 30, 2003. An estimated amount for this grant was included in the FY 2002-2003 Sheriff's Office Budget request. (C50030053)

GRANT FUNDING FROM DEPARTMENT OF EDUCATION

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the following applications and accept grant funding from the Department of Education. An estimated amount for these grants are included in the FY 2002-2003 Sheriff's Office budget request.

- a) Up to \$50,000 in grant funding to provide funding for counseling services. This funding is \$25,000 per year over a two-year period. (C50030063)
- b) Up to \$50,000 in grant funding to purchase professional services to train staff to administer reading assessment tests and reading materials for the students. This funding is over a two-year period at \$25,000 per year. (C50030073)

GRANT FUNDING FROM ARIZONA DUI ABATEMENT COUNCIL

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the application and acceptance of up to \$61,867 in grant funding from the Arizona DUI Abatement Council to purchase DUI law enforcement equipment and fund overtime for DUI Enforcement. Also approve exemption to budget memo No. 8 for grant-designated equipment items: 10 Laptop Computers (\$3,929.50 each). An estimated amount for this grant was included in the FY 2002-2003 Sheriff's Office budget request. (C50030103)

AMENDMENT TO LEASE WITH EARL PROPERTY FUND I, LLC

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the sixth amendment to Lease No. C5422, with Earl Property Fund I LLC, Lessor, as successor in interest to Parish-Nauert Partnership, for 8,090 square feet of office space located at 3101 East Shea Boulevard, Phoenix Arizona. This amendment will increase the area under lease by 535 square feet for a new total area of 8,625 square feet, extend the term commencing April 1, 2002, through March 31, 2009,

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and adjust the rent to reflect the increased space along with new tenant improvements to be performed by Lessor at a cost not-to-exceed of \$172,500. Annual rent for years 1 through 5 will be \$174,656.25 (\$20.25 per square foot) and for years 6 through 7 will be \$183,281.25 (\$21.25 per square foot), plus rental tax (2.4%), commencing on the date of completion of tenant improvements and/or possession of the additional space. This lease contains a tenant improvement reimbursement provision in the event of early termination by County. (C1197006406) (ADM1200-001)

PURCHASE OF REPLACEMENT OF PERSONAL COMPUTERS (NON-CAPITAL EQUIPMENT)

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a purchase for the replacement of personal computers (non-capital equipment) at a total cost of \$204,581 with an annual maintenance cost of \$6,897. The total cost for FY 2002 will be \$211,478. Additionally, approve the purchase for PC devices (non-capital equipment) and one Compaq Proliant server (capital equipment) at a total cost of \$76,572. This includes all applicable consulting and installation charges. The grand total for both projects for FY 2002 will be \$288,051. The Maricopa County Justice Courts will use its Judicial Collections Enhancement Fund (Local JCEF) for this purchase, pending Administrative Office of the Courts (AOC) approval. The decision to purchase these computers was made after consultation with the Maricopa County Budget Manager. This one-time exception to the Technology Financing Program is granted because of the external funding source, and the current economic environment at the state level. The Justice Courts acknowledge that all PC equipment shall be included in the PC inventory submitted to the OCIO, including equipment purchased from non-General Funds. (C24020053)

FULL SERVICE LEASE WITH KOLL BREN FUND V.L.P.

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and execute a new Full Service Lease No. L7319 with Koll Bren Fund V, L.P., Lessor, for 1,962 square feet of office space located at 411 North Central, Suite 145, Phoenix. The space will be used to house the Juvenile Transition Team. The lease term is for 36-months commencing May 1, 2002, and expiring on April 31, 2005. Maricopa County may cancel this lease at the end of any fiscal year, due to non-appropriation of funds. In the event of early termination by Maricopa County, 1/36th of Lessor's unamortized tenant improvements and commissions paid times the number of full months remaining in the lease term will be owed Lessor. An expense stop, after base year 2002 requires Lessee to pay a pro rata share of operating expenses. The lease includes 5 parking spaces at no cost and 6 parking spaces at \$25 per space per month (\$150 per month). The annual rental costs including the 2.4% rental tax are as follows: (C27020074)

- Year 1, \$32,940.84 (1,962 square foot @ \$15.50 per square foot plus \$729.84 rental tax & \$1,800 for parking)
- Year 2, \$34,950.00 (1,962 square foot @ \$16.50 per square foot plus \$777.00 rental tax & \$1,800 for parking)
- Year 3, \$36,959.04 (1,962 square foot @ \$17.50 per square foot plus \$824.04 rental tax & \$1,800 for parking).

PURCHASE OF EQUIPMENT

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the purchase of the following equipment:

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- a) 6 laptops and software for Juvenile Probation staff from three different grant sources (CUTS, LLEBG, OJJDP). The laptops are funded by the grants for new staff and/or new programs. The total cost is \$15,992 for the laptops and the software. The purchase, rather than lease, of these items is an exception to the Technology Financing Program based on the external funding source. (C2702008M) (ADM1400-002)
- b) 80 desktop PCs, 90 laptops, and 9 printers as replacement items to be leased through the Technology Finance Program at a cost of \$114,503 per year and software at a cost of \$48,734.72. The source of funds are General Fund and Detention Fund, and the items are part of a planned replacement program budgeted in FY 2002 and requested for FY 2003. (C2702009M) (ADM1400-002)
- c) 8 PCs, 1 printer, 2 laptops and software for the Juvenile Probation Department Transition Team through the Technology Lease Program at a cost of \$5,859 per year. The source of budgeted funds is Fund 455, Jail Tax Transition. (C2702010M) (ADM1400-002)

PURCHASE OF UPGRADED DEVELOPMENT SERVER

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the purchase of an upgraded development server relating to all of the Managing for Results goals, particularly an integrated automated information system (goal number 6). More developers have been added to the application development team and more data is being converted each month. The upgraded development server will allow the team to work more efficiently to create an information system that integrates and, in some instances, consolidates the disparate Court department information management systems. The decision to purchase this server was made after consultation with the Budget Manager and the Chief Information Officer. This decision is a one-time exception to the Technology Financing Program because of the external funding source, the requirements of Superior Court's agreement with the Arizona Supreme Court, and the current economic environment at the state level. The total cost will be \$7,775. (C38020200) (ADM1100-002)

PURCHASE OF PRINTERS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the purchase of 25 printers for judicial officers and staff. The Court has six strategic goals in the Managing for Results process. The request for printers for judicial officers and staff relates to all of these goals. Judicial Officers and staff need printers to perform the business of the court. Some of these printers will be used for new Judicial Officers and staff. The remaining printers will be used to replace aging printers that are inefficient and costly to maintain or do not perform well on a consistent basis. The decision to purchase these printers was made after consultation with the Budget Manager and the Chief Information Officer. This decision is a one-time exception to the Technology Financing Program because of the external funding source, the requirements of Superior Court's agreement with the Arizona Supreme Court, and the current economic environment at the state level. The cost for 25 printers is \$1,640.95 each for a total cost of \$41,025. (C38020218) (ADM1100-002)

APPOINTMENTS OF JUDGE PRO TEMPORES

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Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the appointment of Judge Pro Tempores as follows, to serve from July 1, 2002, through December 31, 2002.

- a) Attorneys as Superior Court Judge Pro Tempores to serve in the various programs in the Superior Court to reduce trial delay. (C38020227) (ADM1001)
- b) Court Commissioners as Superior Court Judge Pro Tempores, without additional compensation. (C38020237) (ADM1001)
- c) Initial Appearance Court Commissioners as Superior Court Judge Pro Tempores to serve at no additional compensation, for hearing extradition proceedings and other matters in the Initial Appearance Court. (C38020247) (ADM1001)

APPOINTMENT TO SELF-INSURED TRUST FUND, BOARD OF TRUSTEES

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to appoint Tom Manos, Chief Financial Officer, to the Self-Insured Trust Fund, Board of Trustees, to serve as the County Administrative Officer's designee. (C20020050) (ADM3713)

PURCHASES OF EQUIPMENT

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the purchase of one HP tape drive and hard drive, one Compaq IPAQ MP2810 projector, one HP C7087A color printer, and one Panasonic KX-BP635 electronic copyboard with printer for the IJCIS department at a cost of \$16,450 with funding from the FY 2002 ICJIS budget (Jail Tax funds). (C42020078) (ADM2714-002)

PURCHASES OF EQUIPMENT

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the purchase of the following computer equipment:

- a) \$55,000 (not-to-exceed) of capital and non-capital image scanning and computer equipment from various County vendors. The new equipment will be leased for three years at approximately \$1,604 a month, with a total purchase price of \$57,744. This purchase is required to support the digital imaging of documents for Health Care Mandates. (C39020150) (ADM21000-002)
- b) \$81,821 of capital computer equipment from Compaq. The new equipment will be leased for three years at approximately \$2,387 a month, with a total purchase price of \$85,932. This purchase is required to support the digital imaging of documents for Health Care Mandates, for the backup of email boxes for eGov Technology, and to provide a shared storage location for web data for the farmed WWW and EBC servers. NOTE: This resource and its associated costs will be shared by HCM and eGovernment Technology. (C39020160) (ADM2100-002)

PERSONNEL AGENDA

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Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Personnel Agenda (Judicial Branch and Maricopa County), and the addendum, as corrected by the Clerk of the Board, Fran McCarroll, with the deletion of two names in the Housing Department, as recommended by Human Resources and marked below, for further consideration. (List on file in the Clerk of the Board's Office.)

FUNDING ALLOCATIONS AND AMENDMENT TO MANAGEMENT & IMPLEMENTATION AGREEMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve funding allocations from the Community Development Block Grant (CDBG) Contingency Fund for \$50,000 and Amendment No. 1 to the Management & Implementation Agreement (MIA) between Maricopa County and the Town of Buckeye for the Buckeye Street Improvement Project, DG0102. (C1702003001)

HUD PLANS FOR FEDERAL FY 2002

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following actions regarding HUD required plans for federal FY 2002 allocations (\$8,484,000), HURF funds (\$300,000), Community Development Block Grant (CDBG) Contingency Funds (\$68,587), and HOME Funds being returned by City of Peoria (\$26,869 per FY 2000 Intergovernmental Agreement with the City of Peoria), including specific Urban County CDBG & HOME projects, and Maricopa HOME Consortium CHDO projects: (C17030010ZZ)

- 1) adopt a resolution for the submission of the annual plans in the amount of \$8,879,456; (ADM1500)
- 2) execute agreements or contracts with each city/town/agency/developer/CHDO selected for CDBG/HOME funding;
- 3) perform actions in accordance with the Maricopa County Procurement Code to:
 - a) retain consultants for design and/or management;
 - b) approve plans and specifications and authorize call for bids;
 - c) award construction contracts to the lowest responsible bidder(s);
- 4) matching agreements and necessary repayment documents, including, but not limited to promissory notes, deeds of trust, forgivable loan agreements, deed restrictions, satisfaction of loan documents and other documents as may be necessary to implement the approved projects. Funding to be from CDBG, HOME, and matching funds under the terms and conditions of the executed agreements/contracts. Approval of this item is contingent on the approval of both the federal and Maricopa County FY 2002-2003 budgets. Funds have been allocated and appropriated by the US Congress. No General Funds involved in this action.

RESOLUTIONS – INTERGOVERNMENTAL AGREEMENTS FOR COMMUNITY-ORIENTED POLICING AT PUBLIC HOUSING DEVELOPMENTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to adopt the following Resolutions approving the amendments to the following Intergovernmental

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Agreements for Community-Oriented Policing at public housing developments between the Maricopa County Housing Department and various entities, funded by the U.S. Department of Housing and Urban Development (HUD) as part of the 2001 Public Housing Drug Elimination Program for crime prevention. Unless extended by written agreement of the parties, the agreements shall terminate at midnight on December 31, 2002. The following resolutions are on file in the Office of the Clerk of the Board.

- a) Town of Buckeye Police Department in the amount of \$5,000 to cover additional patrol hours at the H.M. Watson Homes development. (C6699008203)
- b) City of Tolleson Police Department in the amount of \$2,500 to cover additional patrol hours at the Baden Homes and John Hollar Gardens developments. (C6699009203)
- c) City of Avondale Police Department in the amount of \$20,000 to cover additional patrol hours at the Madison Heights and Norton Circle Homes developments. (C6699010203)
- d) Maricopa County Sheriff's Office in the amount of \$15,000 to cover additional patrol hours at the Father Fidelis Kuban Homes development. (C6600004203)
- e) City of Peoria in the amount of \$10,000 to cover additional patrol hours at the John Hammond Homes and Varney Homes developments. (C6699013204)
- f) City of El Mirage in the amount of \$4,000 to cover additional patrol hours at the Flora Statler Homes and Villa Monte Rosa developments. (C6699014203)

ADMINISTRATIVE AMENDMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve an Administrative Amendment to Agenda Item C44020070 striking the fifth sentence under the heading Action Requested. The sentence states, "Finally, approve an appropriation transfer from General Government's FY 2001-2002 Budget to the Planning and Development Department's FY 2001-2002 Budget in the amount of \$218,000 for expenditures." (Clerk's Note: See March 20, 2002, minutes referencing this amendment.) (C4402007002) (ADM3400)

FUND TRANSFERS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference.

SOLICITATION SERIALS

Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve the following solicitation serial items. The action on the following items is subject to County Counsel's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

Award of Solicitation Serials:

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- 01145-C INMATE STRIPED UNIFORMS** (\$210,000 est./two (2) years, with three (3), one-year renewal options)
Pricing agreement to purchase inmate striped uniforms as requested by MCSO for use by Maricopa County inmates.
.
Robinson Textiles, Inc.
Item 01145-C was WITHDRAWN by the Department.

- 01197-S TAXI TRANSPORTATION SERVICE** (\$180,000 est./three (3) years, with two (2), one-year renewal options)
Pricing agreement to provide transportation service for employees, witnesses and clients of Maricopa County by taxi or shuttle vans on an as needed basis.
.
AAA Cab Service, Inc
.
Allstate Cab Company

Sole Source Award:

Award a two-year sole source procurement to Accusoft Corporation for the purchase of Imagegear Barcode Tool Kits and Barcode Runtime Licenses. This software is used by the Records Office to scan applications for various recorded documents and voter affidavits. This is the only software compatible with the current system/hardware already installed by the Records Office and the software is proprietary to Accusoft Corp. This procurement has been advertised in accordance with the County's sole source procurement procedures. Value of the award is approximately \$40,000 estimated two years. (C73020111)
.
Accusoft Corporation

Contract Extensions:

Extension of the following contract(s): (Extensions are recommended with the concurrence of the using agency(s) and the vendor(s), upon satisfactory contract performance and, when appropriate, after a market survey is performed.)

Until June 30, 2003

- 99238-RFP WASTE TIRE RECYCLING REMOVAL – FINAL DISPOSAL** (\$2,500,000 est./one (1) year)
Extension of pricing agreement to provide tire recycling and disposal services for Solid Waste Management, as required.
.
BAS Recycling, Inc.
.
Envirotech Industries Intl, Inc.
.
Polytek Rubber & Recycling, Inc.

Intergovernmental Cooperative Purchasing Agreement:

Execution of an Intergovernmental Cooperative Purchasing Agreement with City of Apache Junction – Apache Junction Public Library. (C73020122)

PAYMENT OF JUDGEMENT

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Motion was made by Supervisor Wilcox, seconded by Supervisor Brock, and unanimously carried (5-0) to approve payment of judgement of Lucila Leon and Humberto Leon v. Maricopa County et al., CV2000-020044 in the amount of \$87,287.20 (Lucila Leon) and \$13,116.25 (Humberto Leon). (C75020130) (ADM409)

AGREEMENT WITH SUN CITIES ANIMAL RESCUE, INC., dba SUN VALLEY ANIMAL SHELTER

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve an agreement between Sun Cities Animal Rescue, Inc., an Arizona non-profit corporation, dba Sun Valley Animal Shelter, 7150 North 110th Avenue, Glendale, and Maricopa County to allow Sun Valley Animal Shelter, to rescue animals eligible for the New Hope Program. The term of the agreement is from June 12, 2002, to June 11, 2005. (C79020761)

DONATIONS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the acceptance of donations made by citizens of Maricopa County through the Business Office of Animal Care & Control (AC&C) in the amount of \$1,675 for the month of February 2002. Additionally, approve an increase in Animal Care and Control's FY 2002 Agency 792, Fund 572 Revenue and Expenditure budgets in the amount of \$6,482. This amount includes the \$1,675 for donations received through the AC&C business office and \$4,807 in donations that were made through the animal licensing process. (C79020757) (ADM2300)

RESTRICTED DONATIONS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the acceptance of restricted donations made by the following, through the Business Office of Animal Care and Control (AC&C) to be used toward the cost of spay & neuter of 200 dogs and cats at the Big Fix Quarterly Spay Day, May 25, 2002, and August 24, 2002.

- a) \$10,000 from Animal Rescue Foundation (ARF), Walnut Creek, California. Additionally, approve an increase in ACC's FY 2002 Agency 792, Fund 572 Revenue and Expenditure budgets in the amount of \$10,000. (C79020777) (ADM2300)
- b) \$500 from Suzanne Schwab, Apache Junction, Arizona. Additionally, approve an increase in ACC's FY 2002 Agency 792, Fund 572 Revenue and Expenditure budgets in the amount of \$500. (C79020787) (ADM2300)

RESTRICTED DONATIONS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the acceptance of \$3,000 restricted donation monies made by Best Friends Animal Sanctuary, Kanab, Utah, through the Business Office of Animal Care & Control (AC&C) to be used toward spaying and neutering feral cats in Maricopa County. Additionally, approve an increase in AC&C's FY 2002 Agency 792, Fund 572 Revenue and Expenditure budgets in the amount of \$3,000. (C79020797) (ADM2300)

RENEWAL OF KENNEL PERMITS

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Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following kennel permit renewals for the term of May 1, 2002, through April 30, 2003: (C7902080C) (ADM2304)

- a) Gloria Dorsey, dba Gloria Dorsey Kennels, 213 East Elm Lane, Avondale, Permit No. 050
- b) Terry Jamtgaard, dba The Dog House, 2103 West Belmont Avenue, Phoenix, Permit No. 078
- c) Liz Hazen, dba Hazen Farms, 26951 West Hazen Road, Buckeye, Permit No. 340
- d) Yolanda May Martin, dba My Song Pekingese Park, 3221 West Alice Avenue, Phoenix, Permit No. 295

AMENDMENT TO INTERGOVERNMENTAL (EXPENSE) AGREEMENT WITH TOWN OF GUADALUPE

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 1 to an Intergovernmental (expense) Agreement (IGA) with the Town of Guadalupe to increase the reimbursable budget by \$40,000 (from \$92,835 to \$132,835), and increase the number of youths to be served by 25 (from 57 to 82). Funding for this contract is derived from a federal grant under the Workforce Investment Act (WIA) provided to Maricopa County by the Arizona Department of Economic Security (ADES). The amendment is effective upon approval by the Board through June 30, 2002. This agreement does not contain any County general funds. (C2202120201)

LEASE WITH UNITED METHODIST CHURCH

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and execute new Lease No. L7316 with the United Methodist Church, Lessor for a Head Start classroom and playground facility located at 215 East University, Tempe, AZ 85181. The lease term is for five years with an additional five-year option commencing on the date of the execution of this lease by the Chairman of the Board of Supervisors of Maricopa County. The annual cost will be \$6,000 as County's share of operating expenses. Head Start will contribute a one-time amount of not-to-exceed \$6,000 to assist in the renovation of the classrooms and playground to meet Arizona Department of Health Services day care licensing requirements. This agreement contains a 90-day termination clause and does not include any county general funds. (C22021604)

PURCHASE OF DIGITAL COPYING MACHINE

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the Human Services Department's Education Division (Head Start and Early Head Start) to purchase a digital copying machine, with an estimated cost of \$26,000. This equipment has an extremely high-volume capacity to meet the unique needs of a large (2,400+ student; 400+ employee) child development and family/parent education program. The existing high-volume copier has significant downtime and is interfering with efficient business operations. In addition, this copier is used to publish the majority of the Head Start program's health, safety and educational/instructional materials for enrolled children and their parents/family members. As such, the purchase fully complies with both of the "essential/emergency" requirements of OMB's Budget Administration Memo No. 8 dated October 29, 2001. A cost-benefit analysis supports the recommendation to purchase versus lease the equipment. The funding is derived from the U.S. Department of Health and Human Services specifically for this type of project. The purchase of this copying machine will be from Hughes-Callihan through Arizona State Procurement Office Contract Number AD000131-001. This action does not involve any County general funds. (C2202164M) (ADM2500-002)

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FUNDING APPLICATIONS TO VARIOUS FEDERAL, STATE, AND LOCAL SOURCES

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the Maricopa County Human Services Department to submit funding applications to various federal, state, and local sources in support of the annual operating expenses of the County's Workforce Development program. Details regarding the source and use of funds are listed on Attachment A. Also authorize the Chairman to approve the receipt of all such funds awarded during FY 2003 as a result of the respective grant applications. Unless otherwise indicated on Attachment B, all overhead/indirect costs are allowable and the FY 2003 authorized rate will be applied to the respective grants. The funding requested will not exceed \$12,200,000 in total. The funds will be administered by the Department's Workforce Development Division, and will be utilized to provide employment and training activities for individuals; and for employee recruitment and retention services for businesses. (C22030593LI)

AMENDMENT TO LEASE WITH CONCORDIA/COLORADO LLC

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and execute Amendment No. 2 to office lease L7211 with Concordia/Colorado LLC, a Colorado limited liability company. The office space consists of 8,639 square feet located within the Concordia Office Park at 1414 West Broadway Road, Tempe, AZ 85282. The tenant shall pay a base rent of \$712,717.56, payable in monthly installments over the term of the lease. The tenant is pleased with the facility and wishes to continue at this location for an additional five years. The term of the lease shall extend from March 1, 2002, through February 28, 2007. This agreement contains a 90-day termination clause. This lease provides space for the Women, Infant and Children (WIC) Services Administrative Offices. (C8698051402) (C5956005)

AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF HEALTH SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 4 to Intergovernmental Agreement No. 052012 with the Arizona Department of Health Services (ADHS) to provide Sexually Transmitted Disease (STD) Control Services. The amendment provides an additional \$91,240 in funding for the term January 1, 2002, to December 31, 2002. All other terms and conditions remain unchanged. By approving this agenda item, the Board will also be authorizing a budget amendment that will increase MCDPH's revenue and expenditure levels for FY 2002 by \$45,620. The remaining balance of \$45,620 will be reflected in the Department's FY 2003 budget. (C8601014204)

LEASE WITH FIRST STREET INVESTMENTS LIMITED PARTNERSHIP

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve FY 2003 funding for Lease No. L7314 with First Street Investments Limited Partnership, Lessor, for office space at 1 North 1st Street, Suite 200, Phoenix. The lease provides office space for the Maricopa County Tobacco Prevention Program through the term ending July 31, 2003. Rental cost for the FY 2003 lease period is \$8,750, plus 2.4% rental tax per month. In addition, parking costs will be \$60, per month per space, as required. The full cost for FY 2003 will not exceed \$118,320, which can be absorbed in the existing budget for this activity. This lease contains a 2-month termination notice period. Funding for this lease is provided by the Arizona State Department of Health Services Tobacco Education and Prevention Grant. No county funds will be used. (Clerk's Note: Lease approved on January 16, 2002, should have

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been through July 31, 2003 and not for six months as stated. This item approves funding for additional months.) (C8602043402)

INTERGOVERNMENTAL AGREEMENT WITH ARIZONA DEPARTMENT OF HEALTH SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Intergovernmental Agreement No. 261166 with the Arizona Department of Health Services (ADHS) to provide Farmer's Market Program services. The term of the agreement is from March 1, 2002, through February 28, 2003, for a dollar amount not-to-exceed \$1,533. The program is an USDA program that provides a limited amount of fresh fruits and vegetables to "at risk" clients of the Special Supplementary Food Program (WIC). This fresh food benefit is intended to familiarize the WIC client with the benefits of dealing directly with local produce growers and enjoy the benefits of fresh fruits and vegetables in their diets. By approving this agenda item, the Board will be authorizing the Chairman to sign all applications, contracts and subsequent amendments related to this grant. By approving this agenda item, the Board will also be authorizing a budget amendment that will increase MCDPH's revenue and expenditure levels for FY 2002 by \$511. The remaining \$1,022 will be included in the Department's FY 2003 Budget. (C86020922)

GRANT FUNDS FROM ARIZONA DEPARTMENT OF AGRICULTURE

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and accept \$88,715.87 in one-time grant funds from the Arizona Department of Agriculture to expand the 5-A-Day Nutrition Program to schools throughout Maricopa County. The goal of the program is to shape food consumption in a positive way to promote healthy behaviors that result in a reduction of disease. The program is targeted to 3rd grade students and their families, and provides educational materials and presentations to increase awareness of health benefits gained from eating at least five servings of fruits and vegetables each day. By approving this agenda item, the Board will be authorizing the Chairman to sign all applications, contracts, and subsequent amendments related to this grant. By approving this agenda item, the Board will also be authorizing a budget amendment that will increase MCDPH's revenue and expenditure levels for FY 2002 by \$29,575. The remaining \$59,140.87 will be included in the Department's FY 2003 Budget. (C86020932)

GRANT FUNDS FROM NATIONAL ASSOCIATION OF COUNTY AND CITY HEALTH OFFICIALS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve and accept \$10,000 in one-time grant funds from the National Association of County and City Health Officials (NACCHO) to support an educational training conference on the Hepatitis C Virus (HCV). The conference will consist of a one-day training session and a half-day follow-up meeting. Training will be geared toward prevention and outreach staff from 13 public and private health organizations in Maricopa and Pinal counties. The awarded grant funds can only be used for conference costs (e.g. facility costs, participant registrations/lunches, honoraria and training materials). By approving this agenda item, the Board will be authorizing the Chairman to sign all applications, contracts and subsequent amendments related to this grant. By approving this agenda item, the Board will also be authorizing a budget amendment that will increase MCDPH's revenue and expenditure levels for FY 2002 by \$10,000. (C86020943)

PURCHASE OF EQUIPMENT

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve purchase of the following equipment:

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- a) 9 Dell OptiPlex GX240 Small Mini-Tower 1.8 GHz PC computers @ \$1,357.36 each and 4 Dell OptiPlex GX240 Small Mini-Tower 2.0 GHz PC computers @ \$2,152.68 each to be used by Public Health's Division of Epidemiology and Data Services. Total expenditure for this agenda, including tax, will be \$22,576. (C8602150M) (C2150-002)
- b) 1 PowerMac G4-800 w/15' monitor @ \$2,365.72, 6 Dell OptiPlex GX240 Small Mini-Tower PC computers @ \$8,545.41 and 1 Dell Latitude C610 Lap Top @ \$2,227.08, to be used by the Department of Public Health's Office of Family Health Services. The new computers will replace existing equipment. Total expenditure for this agenda, including tax, will be \$13,138.21. (C8602151M) (C2150-002)

PURCHASE OF NON-CAPITAL EQUIPMENT

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the purchase of the following non-capital equipment:

- a) \$36,509 of non-capital computer storage equipment from Compaq. The new equipment will be leased for three years at approximately \$1,065 a month, with a total purchase price of \$38,340. This storage equipment will be used to support the growing disk space requirements for 27 County departments supported by the OCIO and maintain adequate data archival and disaster recovery capability. (C41020058) (ADM2700-001)
- b) \$33,586 of non-capital computer equipment from Compaq. The new equipment will be leased for three years at approximately \$990 a month, with a total purchase price of \$35,640. These servers will be used to support and maintain critical enterprise systems within the County Windows NT and Exchange infrastructure. (C41020068) (ADM2700-001)
- c) \$62,149 of non-capital computer equipment from Compaq. The new equipment will be leased for three years at approximately \$1,813 a month, with a total purchase price of \$65,268. These servers will be used to support and maintain the County's web-based information systems running on our Internet and Intranet. (C41020078) (ADM2700-001)

FUND REALLOCATIONS

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve fund reallocations, as follows:

- a) \$200,000 from FY 2001-2002 General Government Major Maintenance Project No. 2000143500 East Courts Building Infrastructure Improvements and \$292,498 from the FY 2001-2002 General Government Major Maintenance Project No. 2000143492 Central Courts Building Infrastructure Improvements and the creation of a new line item, Project No. 2000143581, Major Maintenance Energy Retrofit Program, which will be used to fund the capital lease payment for the Energy retrofit program in this FY. (C70020978) (ADM800)

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- b) \$55,000 from FY 2001-2002 General Fund Major Maintenance Project No. 2000143577 East Courts Building Infrastructure Improvements to Project No. 2000143581 Annual County-wide Maintenance Programs. (C70020988) (ADM800)
- c) \$77,690 from FY 2001-2002 General Fund Major Maintenance Project No. 2000143500 East Courts Building Infrastructure Improvements to Project No. 2001226781 Remodel Building 1916. (C70020988) (ADM800)
- d) \$68,000 from FY 2001-2002 Special Revenue (Detention) Major Maintenance Project No. 2000143529 Durango Juvenile Infrastructure Improvements to Project No. 2000143518 Annual Detention Facilities Maintenance Program. (C70020988) (ADM800)

REJECT PROPOSALS FOR MARICOPA COUNTY SHERIFF'S OFFICE TRAINING FACILITY PROJECT

Motion was made by Supervisor Brock and seconded by Supervisor Kunasek, and carried by a majority vote (4-1) with Supervisors Brock, Kunasek, Wilson and Stapley voting "aye" and Supervisor Wilcox voting "no" to reject all proposals submitted for the Capital Improvement Plan project "Maricopa County Sheriff's Office Training Facility" and authorize a new design-build procurement selection process. Rejection of all bids is considered to be in the best interest of Maricopa County and is allowed by ARS §34-603G. Additionally, the Facilities Management Department (FMD) shall pay a stipulated fee to the three unsuccessful bidders as required by ARS §34-603F, paragraph 11. After selection of the new design-build team, FMD shall submit the project for review to the Facilities Review Committee for final consideration before making a recommendation to the Board of Supervisors. The final recommendation will identify the apparent most advantageous design-build team selected on the basis of quality and price. (C70021005)

STOP WORK ORDER ISSUED ON DESIGN AND CONSTRUCTION MANAGEMENT SERVICE CONTRACTS

Clerk of the Board, Fran McCarroll, announced changes to this item, as noted below, prior to the motion. Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to authorize the Facilities Management Department (FMD) to ~~terminate~~ **ISSUE A STOP WORK ORDER ON** the design and construction management services contracts for the Capital Improvement Plan (CIP) project #1998937402, for the "New County Public Services Building". **THIS WILL AFFECT THE FOLLOWING TWO CONTRACTS;** ~~Additionally, authorize FMD to negotiate termination settlements with both contractors. Contracts to be terminated are C70000875 with Langdon Wilson Architecture Planning Interiors and C70010665 with McCarthy Building Companies, Inc. Termination of these contracts is in the best interest of Maricopa County because of the indefinite postponement of this CIP project.~~ (C70021015)

EASEMENTS AND RIGHT-OF-WAY DOCUMENTS

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors action. (ADM2007)

A099.003 (AC)	Project No: 69010 - 87th Avenue (Pinnacle Peak Road - Calle Lejos) - Agreement for Right of Entry - Parcel No. 201-15-011G - Han Jye Yang and Shu-Chu Wu Yang - for the sum of \$100.00.
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- | | |
|-------------------|---|
| A099.003
(AC) | Project No: 69010 - 87th Avenue (Pinnacle Peak Road - Calle Lejos) - Easement and Agreement for Highway Purposes – Parcel No. 201-15-011G - Han Jye Yang and Shu-Chu Wu Yang – for the sum of \$31,820.00. |
| A099.003
(AC) | Project No: 69010 - 87th Avenue (Pinnacle Peak Road - Calle Lejos) - Purchase Agreement and Escrow Instructions - Parcel No. 201-15-011G - Han Jye Yang and Shu-Chu Wu Yang. |
| X-0455-1
(LJS) | Project No: 68934 - Old US 80 Bridge (at the Hassayampa River) - Temporary Construction Easement and Agreement for Highway Purposes - Parcel No. 401-28-002B, 010A & 010C - Murray A. Johnson and Lola J. Johnson, as Trustees - for the sum of \$100.00. |
| X-0455-5
(LJS) | Project No: 68934 - Old US 80 Bridge (at the Hassayampa River) - Agreement for Right of Entry – Parcel No. 401-28-002B, 010A & 010C - Murray A. Johnson and Lola J. Johnson, as Trustees - for the sum of \$100.00. |
| X-0455
(LJS) | Project No: 68934 - Old US 80 Bridge (at the Hassayampa River) - Warranty Deed – Parcel No. 401-28-002B, 010A & 010C - Murray A. Johnson and Lola J. Johnson, as Trustees - for the sum of \$615.00. |
| X-0455
(LJS) | Project No: 68934 - Old US 80 Bridge (at the Hassayampa River) - Purchase Agreement and Escrow Instructions - Parcel No. 401-28-002B, 010A & 010C - Murray A. Johnson and Lola J. Johnson, as Trustees. |

INTERGOVERNMENTAL AGREEMENT WITH THE CITIES OF PHOENIX AND AVONDALE

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Intergovernmental Agreement between Maricopa County, the City of Phoenix, and the City of Avondale for the development of a Design Concept Report (DCR) for 99th Avenue from McDowell Road to the Grand Canal (Bethany Home Road). The DCR is estimated to cost \$180,000, with the City of Phoenix contributing \$75,000, the City of Avondale contributing \$30,000, and Maricopa County Dept. of Transportation contributing \$75,000. This design will provide the parties with the necessary information needed to proceed to final design for the roadway improvements. Approval of this item is contingent on the Board's approval of the FY 2002-2003 Transportation CIP which includes this project. (C64022402)

CONTRACTS FOR ON-CALL SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the following contracts for on-call services with options to renew for additional one-year periods:

- a) Western Technologies, Inc., in an amount not-to-exceed \$145,000, to provide on-call inspection services on MCDOT projects in the public right-of-way and testing of construction materials. The contract shall be in effect from the date of execution through June 30, 2003. (C64022435)
- b) Lima and Associates, in an amount not-to-exceed \$125,000, to provide on-call transportation planning, travel modeling, policy development, and performance

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measures. The contract shall be in effect from the date of execution through June 30, 2003. (C64022445)

- c) Olsson Associates, in an amount not-to-exceed \$125,000, to provide on-call transportation planning, travel modeling, policy development, and performance measures. The contract shall be in effect from the date of execution through June 30, 2003. (C64022455)
- d) URS Corporation (BRW, Inc.), in an amount not-to-exceed \$125,000, to provide on-call transportation planning, travel modeling, policy development, and performance measures. The contract shall be in effect from the date of execution through June 30, 2003. (C64022485)

ANNEXATION OF COUNTY RIGHT-OF-WAY BY THE CITY OF PEORIA

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the annexation by the City of Peoria of County right-of-way within the vicinity of Northern Avenue, from State Route 101 East to 71st Avenue, in accordance with City Ordinance No. 02-03. (C64022415) (ADM4212)

PURCHASE OF TECHNOLOGY EQUIPMENT

Motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the purchase of 3 Compaq Proliant DL-360 Servers from Compaq Computer Corporation. The purchase price of each server system is \$5,609.00 for a total of \$16,827. The server systems will then be converted in accordance with the County Technology Lease Program, to a 3-year lease for a monthly cost of \$478. The purchase of these systems will help Maricopa County Department of Transportation avoid a possible network outage due to a failed component of the existing system. (C64022505) (ADM2000-002)

MARICOPA INTEGRATED HEALTH SYSTEMS PERSONNEL AGENDA

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Maricopa Integrated Health Systems Personnel Agenda. (List on file in the Clerk of the Board's Office.)

AMENDMENT TO CONTRACT WITH REM-ARIZONA, INC.

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 5 to a contract with Rem-Arizona, Inc. for the provision of Intermediate (Level II) Behavioral Health Group Home Service, effective May 1, 2001. This amendment updates contract language and increases the not-to-exceed amount by \$468,566, from \$654,434 to \$1,123,000. The term remains September 2, 1998, through November 30, 2002. This contract has a 90-days termination for convenience provision. (C60971831) (C6099058105)

ACCEPT FUNDING FOR SENIOR ADULT INDEPENDENT LIVING CASE MANAGEMENT SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the application signed by the MIHS Vice President, Health Plans, submitted February 21, 2002, and authorize the Chairman of the Board to accept funding if awarded from this response to a Request for

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Proposals from Area, Agency on Aging, Region One, Inc., for Senior Adult Independent Living Case Management Services, for the contract term of July 1, 2002, through June 30, 2003. The amount requested is \$1,957,637. If fully awarded, the required County match will be \$679,789 for a total contract amount of \$2,637,426. If awarded, this will be a one-year contract with an option to renew for up to two additional years. (C60020861)

CONTRACTS (3) FOR DIAGNOSTIC IMAGING SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve new contracts (3) for Diagnostic Imaging Services with the following:

- Desert Valley Radiology (C60020911)
- Arcadia Radiology (C60020921)
- Valleywide Osteoporosis and Imaging Centers (C60020931)

The contract term is April 3, 2002, through April 2, 2005, with options to renew up to two additional one-year periods. Establish a not-to-exceed pool of \$900,000 for all Diagnostic Imaging Services Contractors. Contract may be terminated upon 90-days written notice. (C60020901ZZ)

AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH TOWN OF GUADALUPE

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 2 to the Intergovernmental Agreement with the Town of Guadalupe for Emergency Base Station Services to update language to reflect changes in the Arizona Administrative Code (A.A.C.). This is a non-financial agreement. There is no change in the term of the agreement, which is December 1, 1999, through November 30, 2002. The agreement may be terminated by either party by providing 30-days written notice to the other party. (C9000019202)

CHANGE ORDER TO CONTRACT WITH D.L. WITHERS CONSTRUCTION, LC

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Change Order No. 9 to the contract with D.L. Withers Construction, LC, for additional changes required in the renovation of the Comprehensive Healthcare Center (CHC) at the Maricopa Medical Center (MMC) campus and increase the contract total by \$46,342 to \$11,799,648. Extend the term of the contract by an additional 28 calendar days for a total of 466 days to the date of substantial completion. (C9001039504)

AMENDMENT TO REVENUE CONTRACT WITH ARIZONA DEPARTMENT OF HEALTH SERVICES

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 1 to the revenue contract with the Arizona Department of Health Services (ADHS No. 261015) for Newborn Intensive Care Services to decrease the not-to-exceed amount by \$12,045, from \$106,223 to \$94,178, effective February 8, 2002. The term of the contract is unchanged at July 1, 2001, through June 30, 2002. The contract may be extended up to a maximum of 48-months. The State may terminate the contract for convenience or default. No notice requirements are provided in the contract. (C9001155101)

AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH THE BUCKEYE VALLEY FIRE DISTRICT

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Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 1 to the Intergovernmental Agreement with the Buckeye Valley Fire District for Emergency Base Station Services to update language to reflect changes in the Arizona Administrative Code (A.A.C.). This is a non-financial agreement. There is no change in the term of the agreement, which is July 1, 2001, through June 30, 2003, and the agreement may be terminated by either party by providing 30-days written notice to the other party. (C9002029201)

PURCHASE OF EQUIPMENT FOR THE MARICOPA MEDICAL CENTER

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the purchase of equipment and furniture for the renovation of the Comprehensive Healthcare Center (CHC) at Maricopa Medical Center (MMC) in the amount of \$1,056,602. The Office of Management and Budget has reviewed supporting information and Equipment Purchase Request Form – Exemption to Budget Balancing Plan has been submitted. (C90021011) (ADM2100-002)

CONTRACT WITH BLUMBERG RIBNER, INC. (BRI)

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a new contract with Blumberg Ribner, Inc. (BRI), to provide Medicaid Days Verification Services for Disproportionate Share (DSH) reimbursement. The term of this contract will be from execution by the Board of Supervisors until project is completed as determined by Maricopa Integrated Health System (MIHS). The years to be reviewed are the years ending June 30, 1997, June 30, 1998, and June 30, 1999, and possibly the fiscal years ending June 30, 2000, and June 30, 2001. Compensation is a contingent fee of 25% of dollars recovered for each year reviewed. This contract is the result of RFP No. 90-02-010, issued November 29, 2001, in accordance with MC1-329. (C90021041)

RESIGNATION OF ROGER W. HECKEL

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the resignation of Roger W. Heckel effective April 7, 2002. Mr. Heckel served as District 1 appointee to the State Board of Equalization. (ADM4908)

SETTING OF HEARING – ROAD FILE DECLARATION

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to schedule a public hearing for 9:00 a.m., Wednesday, June 12, 2002, for the declaration of the following road into the County highway system.

Road File 5234: General vicinity of McKellips Road and Sossaman Road (76th Street), as depicted in Saguaro Vista Estates, a subdivision as shown in Book 517 of Maps, Page 46, M.C.R. (C6402251B) (F23037)

MINUTES

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve minutes of the Board of Supervisors meetings held April 3, 4, and 17, 2002.

PRECINCT COMMITTEEMEN

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Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to carry to authorize the appointment of precinct committeemen to fill vacancies in various precincts, pursuant to A.R.S. § 16-231.B, and removal of precinct committeemen due to disqualification in accordance with lists dated May 1, 2002, as submitted by the Elections Director, and on file in the Office of the Clerk of the Board of Supervisors and retained in accordance with the Department of Library Archives, and Public Records retention schedule. (ADM1701)

SECURED TAX ROLLS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve requests from the Assessor for corrections of the Secured Tax Rolls, as follows: (ADM705)

Tax Roll	From No.	To No.	Net Result
2000	8389	8625	- \$257,482.42
2001	31380	31528	- \$329,459.00
2001	31529	31570	-\$294,217.84

OFFICIAL APPOINTMENTS AND OATHS OF OFFICE - CLERK OF THE SUPERIOR COURT

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to authorize the Official Appointments and Oaths of Office of Jim Kaminsky and Charles J. Mezey as special deputy clerks in the Office of the Clerk of the Superior Court.

OFF-TRACK PARI-MUTUEL WAGERING PERMIT

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the application filed by Yavapai County Fair Association dba Yavapai Downs at Prescott Valley (formerly Prescott Downs) for Off-Track Pari-mutuel Wagering Permit for telecasting at Gallinger's Sports Lounge, 12417 West Glendale Avenue, Glendale, covering race dates May 25, 2002 through September 3, 2002 and May 24, 2003 through September 2, 2003. (ADM151)

DUPLICATE WARRANTS

Necessary affidavits having been filed, pursuant to A.R.S. §11-632, motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the request for the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

COUNTY

There were no County Warrants submitted at this time.

SCHOOL

Name	School	Warrant	Amount
APS	GBUSD #24	42-0101992	\$4,617.40
Javier Castaneda	Mesa	72-0055111	\$269.49
Lidia Cortez	GBUSD #	12-119810	\$390.35
Joann Estrada	Mesa	72-0054144	\$287.61

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Martha E. Hasbun	Osborn	12-110754	\$207.92
Kepco Etc.	Isaac	42-0073136	\$44.98
Brent Morris	Alhambra	68624958	\$173.92
Luz Leticia Nevarez	Murphy #21	42-0107855	\$240.00
John A. Smith	Cave Creek #93	42-0099892	\$32.12
Time for Kids	Pendergast #92	42-0027820	\$119.40
Rachelle Wright	Creighton #14	12-0105475	\$374.71
Diedra L. Bryant	Dist #089	20058	\$667,888.09

(Clerk's Note: The last entry is a Blanket Duplicate Warrant that covers (75) lost checks. List is on file in the Clerk of the Board's Office.)

STALE DATED WARRANTS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to find that claims presented pursuant to A.R.S. §11-644 are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (ADM1816)

Richard T. Fuller	\$ 1,000.00	Carla Diane Dayton	\$ 117.96
Jessica Dawn Rohde	89.60	William Thayer Kelly	78.90
Tracey Bazar	49.65	Tracey Bazar	16.55
David W. Hill	12,682.53	Sonya Allen	72.44

SETTLEMENT OF TAX CASES

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the settlement of tax cases, list dated May 1, 2002. (ADM704)

2000	ST 01-000260
TX 99-000408	ST 01-000278
2001/2002	TX 01-000337
ST 01-000227	TX 01-000424
TX 00-000628	TX 01-000466
TX 00-000630	TX 01-000490
2002	TX 01-000547
ST 01-000186	TX 01-000575
ST 01-000190	TX 01-000624
ST 01-000222	TX 01-000661
ST 01-000230	Outside Counsel
ST 01-000231	TX 00-000749
ST 01-000258	

HEARING SET - PLANNING AND DEVELOPMENT CASES

There are no new Planning and Zoning cases scheduled at this time for a public hearing at the May 15, 2002, meeting.

CLASSIFICATION CHANGES

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Pursuant to A. R. S. §42-12054, motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the Assessor's recommendation for change in classification and/or to reduce the valuation of certain properties which are now owner occupied. (ADM723)

PARCEL NUMBER	YEAR	OWNER	CLASS FROM	CLASS TO
162-20-010	2001	Marshall John	LC/3	LC/6
167-69-071	1999	McAuliffe James	LC/6	LC/5
167-69-071	2000	McAuliffe James	LC/4	LC/3
167-69-071	2001	McAuliffe James	LC/4	LC/3
173-35-604	1999	Robinson P Florence	LC/6	LC/5
173-35-604	2000	Robinson P Florence	LC/4	LC/3
173-35-604	2001	Robinson P Florence	LC/4	LC/3
216-32-104	2001	Stephen Lewis	LC/4	LC/3
03-61-004B	1999	Barbara Weber	LC/6	LC/5
303-61-004B	2000	Barbara Weber	LC/4	LC/3
303-61-004B	2001	Barbara Weber	LC/4	LC/3

COMPROMISES

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the requested compromises as payment in full for the following cases: (Discussed in Executive Session held April 15, 2002.) (ADM407)

Susy Berrocal	\$ 1,634.00
Ledacia Colter	8,500.00
Maria Fuentes	15,000.00
Herbert Hase	133,272.73
Juan Herrera	3,000.00
Christopher Jackson	2,227.02
Andrew Phillips	22,500.00
Yolanda Reyes	10,000.00

WRITE-OFFS

Motion was made by Supervisor Brock, seconded by Supervisor Wilcox, and unanimously carried (5-0) to accept the requested write-off as payment in full for the following case: (Discussed in Executive Session held April 15, 2002.) (ADM407)

Justin Bartes	\$ 7,003.76
Charles Belgarde	12,183.56
Jona Hrdlicka-Sherman	7,859.26

PUBLIC COMMENT

No citizen came forward to speak at this time. (ADM605)

SUPERVISORS' COMMENTS

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Supervisor Wilcox remarked on the success of the recent luncheon held to gain public and private support for the proposed new homeless campus near downtown Phoenix. She lauded efforts by city and county governments and private sources for their active advocacy of this cause. (ADM606)

She also commented on the recent death of Bill Adams, long-time AFSCME Union representative. She said he had always been a true and sincere friend to employers and workers alike and kept himself aware of every issue that could have an affect on either group. She prepared an Honor Commendation in his memory which she read at his funeral and presented to his family. She read this commendation into the record.

HONOR COMMENDATION

WHEREAS, Bill Adams' heartfelt handshake and joyful spirit inspired all those he met, and

WHEREAS, Bill worked tirelessly for people as an AFSCME Union representative devoting himself to fighting for better wages, fair benefits and improved working conditions for all employees, and

WHEREAS, Bill served all workers in Arizona when Governor Jane Hull appointed him to serve on the Joint Legislative State Employee Compensation Committee, and

WHEREAS, Bill's tireless efforts enhanced the lives of many employees and enhanced the community spirit of Maricopa County.

THEREFORE, It is with great pride that Maricopa County bestows this Honor Commendation on the life of Bill Adams Jr.

DATED this 26th day of April 2002.

/s/ Mary Rose Garrido Wilcox, Supervisor, District 5

Supervisor Wilson commended the Arizona Best Friends Sanctuary, formerly located in Kirkland, Arizona and recently moved to Utah after they were flooded out, for contributing to Maricopa County's Animal Care and Control Services. He said he thought their donation commendable in lieu of the circumstances and wanted to give them public recognition and thanks.

Supervisor Kunasek said he had joined Supervisor Wilson on a recent trip to Lake Pleasant for the dedication of a new observatory that is located on a bluff overlooking Honeymoon Cove. He said he believed this was the second facility in the County to have a retractable roof and this one would be opened for the large telescope that had formerly been used by NASA and donated for use in the observatory. He indicated that the Parks Department was operating the observatory and that some interesting star gazing and astronomy classes were being offered to the public. Supervisor Wilson joked that it wasn't "official" but said that they have been calling it "Little BOB" – making reference to Bank One Ballpark's retractable roof.

~ Supervisor Brock left the meeting ~

PLANNING AND ZONING

David Smith left the dais at the end of this portion of the Board meeting. Members, as given above, remained in session. Joy Rich, Director of Planning and Development, Darren Gerard, Principal Planner, and David

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Benton, County Counsel, came forward to present the following Planning and Zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

CONSENT AGENDA DETAIL:

1. **S2000-097 District 4**
 Applicant: Arcadis, Geraghty & Miller, Inc. on behalf of First American Title Company and Camelback Garden Farms, LLC
 Location: South of Camelback Road and west of Perryville Road (in the Goodyear - Glendale area)
 Request: Final Plat in the Rural-43 zoning district for Camelback Garden Farms (approximately 78 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve this final plat.

2. **S2002-017 District 1**
 Applicant: B&R Engineering, Inc.
 Location: East side of Sun Lakes Boulevard approximately 800' north of Riggs Road (in the Sun Lakes area)
 Request: Final Plat in the R1-6 R.U.P.D. zoning district for Sun Lakes Unit 30 (approximately 6.26 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to approve this final plat.

3. **Z2002-016 District 4**
 Applicant: Larry Cummings
 Location: 14801 N. 83rd Avenue (in the Peoria area)
 Request: Modification of a Stipulation for a previously approved Special Use Permit for a pre-school in the Rural-43 zoning district for Arrowhead Montessori School (one acre)

COMMISSION ACTION: Commissioner Clayburg moved to recommend approval of Z2002-016, subject to the following stipulations "a" through "h". Commissioner Smith seconded the motion, which passed with a unanimous vote of 6-0.

- a. Development of the site shall comply with the site plan entitled "Cummings Montessori School", consisting of one full-size sheet, dated (revised) February 28, 2001 and stamped received May 22, 2001 except as modified by the following stipulations.
- b. Development of the site shall comply with the narrative report entitled "Cummings Montessori School", consisting of six pages, dated (revised) April 16, 2001 and stamped received May 22, 2001, except as modified by the following stipulations.
- c. All outdoor lighting shall comply with Section 2318 of the Maricopa County Zoning Ordinance.
- d. The applicant shall construct a 6' CMU wall along the northern property line. The existing chain link fence on the eastern and southern property lines shall remain. The applicant

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shall install appropriate landscaping along such walls/fences in order to minimize noise and the visual impacts of the school on adjacent property owners. Construction of said wall can allow for pedestrian traffic between 83rd Avenue, the site and Thunderbird North Unit Two subdivision.

- e. This Special Use Permit shall expire ten (10) years from the date of approval by the Board of Supervisors. A status report, to monitor compliance with these stipulations, particularly the chain link fencing, shall be submitted to the Planning and Development Department staff every two (2) years after approval of the Special Use Permit by the Board of Supervisors.
- f. At the time of expiration, the applicant may submit an application for renewal of the Special Use Permit subject to County review and approval by the Board of Supervisors.
- g. Major changes to this Special Use Permit (the site plan and narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.
- h. Non-compliance with the Special Use Permit (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to concur with the Planning Commission recommendation for approval subject to stipulations "a" through "h."

~ Supervisor Brock returned to the meeting ~

REGULAR AGENDA DETAIL:

- 4. Z2000-199 District 3**
Applicant: Robert and Debbie Gladding
Location: Southwest corner of Pinnacle Vista Drive and 42nd Street (in the northeast Phoenix area)
Request: Re-establish a Special Use Permit in the Rural-43 zoning district and to add 35 horses to the operation (for a maximum of 95 horses) for Ironwood Equestrian Ranch (10 gross acres)

COMMISSION ACTION: Commissioner Smith moved to recommend approval of Z2000-199, subject to the following stipulations "a" through "n". Commissioner Jayne seconded the motion, which passed with a unanimous vote of 8-0.

- a. Development shall be in accordance with the site plan entitled "Ironwood Equestrian Ranch", consisting of one sheet dated revised February 4, 2002 and stamped received March 19, 2002.

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- b. Development shall be in accordance with the provisions in the Narrative Report entitled "Narrative Report to the Maricopa County Planning and Zoning Commission and Board of Supervisors", not dated, and stamped received December 14, 2000.
- c. The applicant shall agree to participate in a future improvement district for paving Pinnacle Vista Drive or shall pay the County for paving their proportionate share if it becomes necessary to meet EPA requirements.
- d. At no time shall the number of horses on site exceed 95. The applicant shall submit a written status report outlining the status of the increase of horses on site at the end of two years from the date of approval by the Board of Supervisors. The status report shall be reviewed by staff to determine whether this increase has resulted in any complaints from surrounding property owners.
- e. Prior to any new construction, the altering of washes, or materials placed for parking or driveways, a Floodplain Use Permit and a Drainage Clearance must be obtained from the Regulatory Division of the Flood Control District. Grading and drainage plans along with a drainage report would be required.
- f. The owner shall maintain the on-site wash.
- g. The owner shall ensure that manure is removed several times per week, the automatic fly control system in the barn(s) is fully operational, that wood grindings are used in all horse pens to reduce fly and dust issues, and that all driveways, internal circulation and parking areas are watered four or more times per week to mitigate dust. Should the County receive any complaints pertaining to dust, noise, odor, or any other adverse impacts on adjacent properties, staff may schedule this item for review by the Planning and Zoning Commission at a public hearing.
- h. All outdoor lighting shall conform with Section 2318 of the Maricopa County Zoning Ordinance. Arena and/or pen lights shall be shut off no longer than 10:00 p.m.
- i. Development and use of the site shall comply with requirements for fire hydrant placement and other fire protection measures as deemed necessary by the applicable fire department.
- j. When possible, all transformers, back-flow prevention devices, utility boxes and all other utility-related, ground-mounted equipment for the existing single-family residence and/or the riding and boarding facility shall be painted to complement the development and shall be screened with landscape material where possible. All H.V.A.C. units shall be ground-mounted.
- k. Prior to any public events held on site, the applicant shall obtain a Temporary Use Permit from the Planning Department.
- l. Major changes to this plan of development (the site plan and narrative report) shall be processed as a revised application in the same manner as the original application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department.

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- m. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- n. This Special Use Permit shall expire ten years from the date of approval by the Board of Supervisors or upon termination of the use, whichever occurs first.

Joy Rich, Director of Planning and Development, outlined the Commission action on this item. She said that one letter with eight signatures had been received in support of this case. There were no speakers.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to concur with the Planning Commission recommendation for approval subject to stipulations "a" through "n."

- 5. Z2001-120 District 4 CONTINUED**
Applicant: Withey Anderson & Morris, P.L.C. for Hancock Communities
Location: Northwest of the northwest corner of Camelback Road and Dysart Road (in the west Glendale area)
Request: Rezone from Rural-43 to R1-10 R.U.P.D. for Veranda II (25.05 acres)

COMMISSION ACTION: Commissioner Clayburg moved to recommend approval of Z2001-120, subject to the following stipulations "a" through "r". Commissioner Smith seconded the motion, which passed with a unanimous vote of 7-0.

- a. Development and use of the site shall comply with the site plan/preliminary plat entitled "Veranda II Preliminary Plat and R.U.P.D." consisting of one full-size sheet dated February 27, 2002 and date-stamped by the project engineer February 28, 2002, and stamped received March 1, 2002 except as modified by the following stipulations.
- b. Development and use of the site shall comply with the narrative report entitled "Veranda II" consisting of 13 pages prepared by Withey Anderson & Morris, P.L.C., dated revised March 1, 2002 and stamped received March 4, 2002 except as modified by the following stipulations.
- c. Development and use of the site shall comply with the landscape plan entitled "Preliminary Conceptual Landscape Design Plan – Veranda 2", consisting of one reduced-size sheet dated revised March 4, 2002 except as modified by the following stipulations.
- d. Veranda II shall be limited to a maximum of 49 dwelling units.
- e. Recreational amenities acceptable to Planning and Development Department staff, such as a tot-lot and picnic Ramada with barbecue grill shall be provided.
- f. Development of the site shall include a multi-uses trail connection, with equestrian access, from the stable property to the south of the site to the Colter Channel.
- g. Not less than 2.66 acres shall be set aside for common open space.

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- h. All irrigation of common areas shall be in compliance with Arizona Department of Water Resources regulations. When sufficiently available, all irrigation of common areas shall be done entirely with treated effluent.
- i. Written notification shall be provided to all future homeowners that they are located within the state-defined territory in the vicinity of a military airport and may be subject to loud noise from military aircraft. Such notification shall be recorded on all final plats, be posted in Veranda II home sales office(s), and be included in all covenants, conditions, and restrictions (CC&Rs).
- j. To help mitigate the impact of noise from military aircraft, all residential dwelling units shall be constructed to achieve a 25-decibel noise reduction.
- k. The Veranda II Homeowners Association shall be responsible for the maintenance and upkeep of all private roads, public open spaces and facilities, parks, roadway landscaping, landscaping within the public right-of-way adjacent to all public and private roadways, and of pedestrian and bicycle paths.
- l. The Veranda II Homeowner's Association shall own and shall be responsible for maintaining Dale Wash storm drain in its full operating capacity including any and all associated repairs to honor downstream surface water rights.
- m. Prior to final plat approval, the applicant shall obtain adjacent property owner(s) approval of the discharge point for Dale Wash storm drain or locate said storm drain at the point of diversion as described in Application Number A-2820.0001 of the Certificate of Water Right, Revised, State of Arizona and Certificate No. 1972-0001.
- n. Major changes to this plan of development (the site plan and narrative report) shall be processed as a revised application in the same manner as this application, with final determination made by the Board of Supervisors following recommendation by staff and the Planning and Zoning Commission. Minor changes may be administratively approved by staff of the Planning and Development Department, Project Management Division.
- o. Non-compliance with the plan of development (the site plan and narrative report) or the conditions of approval will be treated as a violation in accordance with provisions of the Maricopa County Zoning Ordinance.
- p. Hancock Communities will provide an eight-foot (8') CMU wall along the southern boundary line of the subject property. This wall will be installed during the first phase of subject development in an attempt to mitigate any development impact.
- q. A gate will be provided on the southern property line adjacent to Tract I, which will allow the current property owner pedestrian access through the subdivision to Colter Channel and the water valve located on the north side of Colter Channel.
- r. Two-story homes are prohibited on Lots 33-44

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to continue this item to the May 15, 2002, meeting at the request of the applicant.

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MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

ATTEST:

Don Stapley, Chairman of the Board

Fran McCarroll, Clerk of the Board